

FILED  
IN CLERK'S OFFICE

UNITED STATES DISTRICT COURT  
2023 OCT 30 PM 3: 52  
FOR THE DISTRICT OF MASSACHUSETTS

Kang Lu, et al.

*Plaintiffs,*

*v.*

EXECUTIVE OFFICE OF PUBLIC SAFETY  
AND SECURITY (EOPSS), and TERRENCE  
REIDY, in his official capacity as Secretary of  
EOPSS,

OFFICE OF THE ATTORNEY GENERAL,  
and ANDREA JOY CAMPBELL, in her  
official capacity as Attorney General of  
Massachusetts,

*Defendants.*

Civil Action No. 1:23-cv-12045-AK

**ACTION**

**FOR**

**DECLARATORY JUDGMENT**

**PLAINTIFF'S AFFIDAVIT AND ASSENT TO ACTION**

1. I, Kevin Michael Kiley, the undersigned affiant, appearing in my proper person, state as follows:
  - i. I am a Kansan<sup>1</sup>, residing in Stafford County. After a thorough search of the state and federal laws, I have found no published statute or regulation prohibiting or licensing my right to keep and bear "arms for personal use," or for "defending [my life] and liberties ... and that of seeking and obtaining [my] safety and happiness," as plainly described by the text of Mass. Gen. Laws Chapter 62C, § 55A and Article I of the Massachusetts Declaration of the Rights.

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<sup>1</sup> See Nationalities, etc. 5.23, page 73 of the Style Manual, 2000 edition.

- ii. Whereas, I freely exercise my right to keep and bear arms for personal use in Kansas and Missouri, it is also my wish to exercise the same rights when in Massachusetts, as these rights are indispensable to my safety and happiness, wherever I sojourn.
  - iii. Further, I have not, I do not, and I do not intend to possess or "carry a firearm, as defined in section one hundred and twenty-one of chapter one hundred and forty, ... while in the performance of ... duties," as licensed in G. L. 147, § 29, "carry[] guns in the performance of ... duties," as licensed in G. L. 147, § 29A, "carry ... weapons ... in the performance of ... duties," as described in G. L. 147, § 8A, or carry on a business as a gunsmith, or sell, rent or lease firearms, as licensed in G. L. c. 140, § 122, or to possess or carry firearms as entitled by any provision of the General Laws.
2. Because I assert a right to relief jointly with respect to a similar cause of action arising under the Constitution, where identical questions of law common to my own circumstances will arise in the declaratory relief sought; therefore, I expressly assent to, and hereby incorporate by reference the ACTION FOR DECLARATORY JUDGEMENT, filed by Kang Lu on 9/1/2023, in its entirety, and with the same force and effect as though fully set forth herein.

Dated: October 24<sup>th</sup>, 2023.

Respectfully executed,



Kevin Michael Kiley, *in propria persona*  
712 E. 1st Ave. # 6  
St. John, Republic of Kansas  
[kevinmkiley1969@gmail.com](mailto:kevinmkiley1969@gmail.com)  
620-617-5697

**Certificate of Service and Unsworn Declaration Under Penalty of Perjury**

I certify that the forgoing was sent to the Clerk of the Court, Suite 2300, at One Courthouse Way, Boston, MA 02210, and a copy of the same, was also sent to the defendants' counsel by emailing Assistant Attorney General Angélica L. Durón at [angelica.duron@state.ma.us](mailto:angelica.duron@state.ma.us) and/or [angelica.duron@mass.gov](mailto:angelica.duron@mass.gov).

I further certify under penalty of perjury under the laws of the United States of America that the foregoing affidavit is true and correct in accordance with 28 U.S. Code 1746(1), without the United States.

Executed on October 24<sup>th</sup>, 2023.



Kevin Michael Kiley, *in propria persona*  
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